

ORDINANCE No. 185055

Extend term of a franchise granted to Sprint Communications Company, LP to build and operate telecommunication facilities within City streets (Ordinance; amend Ordinance No. 172141)

The City of Portland ordains:

Section 1. The Council finds:

1. On June 7, 1998, the Council granted a franchise to Sprint Communications Company, LP to build and operate telecommunications facilities within the City's streets. Ordinance No. 172141.
2. The City Council previously extended the term of Sprint's telecommunications franchise until December 31, 2011. Ordinance No. 183367.
3. On October 26, 2011, the City Council adopted non-emergency Ordinance No. 184957, amending Title 17 of the Portland City Code. Among other matters, the ordinance updated, clarified and reorganized various code sections. The Bureau of Transportation will need to adopt administrative regulations implementing various aspects of the revised code provisions. This process will affect some of the standard franchise language. As the bureau works to complete this process, the Office for Community Technology is recommending that the City Council extend existing franchises.

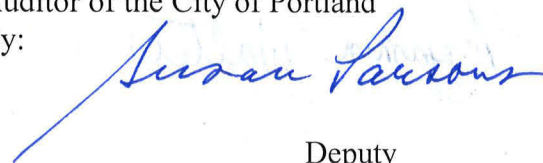
NOW, THEREFORE, the Council directs:

- a. Ordinance No. 172141 is hereby amended to extend the term of the franchise, continuously and without interruption, through December 31, 2012.
- b. All other terms and conditions of the franchise shall remain the same and unchanged.
- c. On or before the thirtieth (30th) day after this ordinance becomes effective, Sprint Communications Company, LP shall file in the Office of the Auditor of the City of Portland a written acceptance of this ordinance, executed by Sprint Communications Company, LP, meeting the approval of the City Attorney. Any failure on the part of Sprint Communications Company, LP to file such written acceptance within such time shall be deemed an abandonment and rejection of this ordinance. Such acceptance shall be unqualified and shall be construed to be an acceptance of all the terms contained in this ordinance.

185055

Passed by the Council: DEC 07 2011

LaVonne Griffin-Valade
Auditor of the City of Portland
By:



Deputy

Commissioner Dan Saltzman
Prepared by: MRiddick/BEWalters
November 15, 2011

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INTRODUCED BY Commissioner/Auditor: Commissioner Dan Saltzman	CLERK USE: DATE FILED <u>NOV 22 2011</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland By: <u><i>Aaron Pearson</i></u> Deputy
BUREAU APPROVAL Bureau: OCT Bureau Head: David C. Olson Prepared by: M Riddick Date Prepared: November 18, 2011 Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/> Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Council Meeting Date November 30, 2011 City Attorney Approval	ACTION TAKEN: NOV 30 2011 PASSED TO SECOND READING DEC 07 2011 9:30 A.M.

AGENDA
TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)
CONSENT <input checked="" type="checkbox"/>
REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA		COMMISSIONERS VOTED AS FOLLOWS:	
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	—	
Adams	Adams	✓	